

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**STEPHEN LEWIS**

**PLAINTIFF**

**V.**

**NO. 3:23-CV-336-DMB-RP**

**CITY OF SOUTHAVEN,  
MISSISSIPPI; and DETECTIVE  
WHITNEY WALLEY, in her official  
and individual capacity as a Southaven  
Police Department detective**

**DEFENDANTS**

**ORDER**

On February 12, 2024, Stephen Lewis filed a motion for summary judgment, Doc. #29, a memorandum brief in support, Doc. #30, and a document titled “Undisputed Material Facts,” Doc. #31.

Neither this Court’s Local Rules nor the Federal Rules of Civil Procedure contemplate or authorize the filing of a separate statement of undisputed facts. L.U. Civ. R. 7(b); Fed. R. Civ. 56(c)(1); *see Automation Design & Sols., Inc. v. Yeliseyev*, No. 3:08-cv-589, 2012 WL 12974010, at \*4 (S.D. Miss. Feb. 29, 2012) (statement of undisputed facts not required under Federal Rules of Civil Procedure or Local Rules). Such a filing provides an avenue for circumventing the page limits imposed by the Local Rules. *See Landrum v. Conseco Life Ins. Co.*, No. 1:12-cv-5, 2013 WL 6019303, at \*15 (S.D. Miss. Nov. 13, 2013) (statement of facts deemed attempt to circumvent page limits). Because the contents of Lewis’ “Undisputed Material Facts” should have been incorporated in the memorandum brief<sup>1</sup> he filed in support of his summary judgment motion,

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<sup>1</sup> Alternatively, to the extent Lewis intended the “Undisputed Material Facts” to be part of his summary judgment motion, the summary judgment motion then would violate Local Rule 7(b)(2)(B)’s four-page limit and would be stricken.

Lewis' "Undisputed Material Facts" [31] and memorandum brief [30] are **STRICKEN** and his motion for summary judgment [29] is **DENIED without prejudice**.

**SO ORDERED**, this 14th day of February, 2024.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**